

TOWN OF DAVIE
PLANNING AND ZONING DIVISION
PLANNING REPORT

February 3, 1999
Revised February 18, 1999

SUBJECT: Land Use Plan Amendment Application LABC-99-3A

APPLICANT/AGENT: Bayshore Land Development Group, Inc. /Neil Kalis, Esq.

OWNER: Multiple owners; listed on attachment.

LOCATION: Section 33, Township 50 S, Range 41 E, generally Generally located in between Griffin and Stirling Roads, and University and PineIsland Roads, straddling SW 82 Avenue.

REQUEST: **From:** Residential (3 du/ac and 5 du/ac) and Community Facility
To: Residential (10 du/ac) to be deed restricted to 380 d.u. (9 d.u./ac)

EXHIBITS TO BE INCLUDED: Land use plan amendment application including amendments thereto, subject site map, planning report, and aerial.

ANALYSIS:

Introduction

The amendment site is approximately 46 acres in area, consisting of plant nurseries and undeveloped land. The amendment site straddles SW 82 Avenue, with the west 33 acres fronting Pine Island Road and the west side of SW 82 Avenue, and the east 13 acres fronting only SW 82 Avenue from the east. The site is bound on the north by undeveloped land and a single-family residence designated Residential 3 dwelling units per acre (3 du/ac) and Residential (5 du/ac), on the east by the Renaissance Plaza shopping center and undeveloped land designated Commercial, on the south by undeveloped land designated Residential (3 du/ac), two single-family residences designated Residential (5 du/ac) and undeveloped land designated Commercial, and on the west across Pine Island Road by single-family residences in Cooper City developed at 3 du/ac.

The amendment site consists of approximately 13 acres of land designated Residential (5 du/ac) east of SW 82 Avenue, 28 acres designated Residential (3 du/ac) on the west side of SW 82 Avenue and 5 acres designated Community Facility west of SW 82 Avenue. The applicant is requesting a change in land use that will increase the allowable density of the entire site and allow for different housing types than would be permitted within the portion of the site designated Residential (3 du/ac). The currently permitted densities of 3 du/ac and 5 du/ac are most often developed as single-family detached residences, although attached single-family development begins to occur at a density of 5 du/ac. The originally requested density of 10 du/ac, which the applicant later reduced to 8.99 du/ac (8.26 du/ac including the 3.75 acres proposed for church use), is sufficient for townhome or two-story garden apartment developments. Typical densities for townhomes range from 4 to 13 du/ac, and range from 10 to 25 du/ac for planned garden apartment developments.

Review of a land use plan amendment request should include consideration of the criteria listed in Section 12-304 of the Land Development Code which is attached hereto, and made a part hereof, including consistency with the goals, objectives and policies of the Comprehensive Plan.

Consistency with Town's Land Use Density Distribution

Future Land Use (FLU) Objective 4 requires that land uses, intensities and densities be distributed and concentrated in such a manner as to promote an economically sound community and discourage urban sprawl pursuant to the Future Land Use Plan Map. Staff believes the amendment site is a suitable location for higher density, as it is proximate to two major arterials including University Drive which offers mass transit service, and is within the Town's sanitary sewer and potable water service areas with major infrastructure and sufficient capacity in place.

The amendment would also provide additional localized population to support the underutilized University Drive commercial corridor and planned commercial centers on Orange Drive north of the amendment site. At present, Davie lacks a solid population base south of Griffin road to support such commercial centers, which have not been able to completely sustain their planned intent as a retail base for the community.

Compatibility

Future Land Use Policy 17-3 requires that each development proposal be reviewed with respect to its compatibility with adjacent existing and planned uses. From a compatibility standpoint, the eastern 13 acres of the amendment site are more suitable for a density approaching 10 du/ac than the western 33 acres, as the eastern portion abuts commercial development and will have access from SW 82 Avenue which is dominated by commercial land use on its east side, ~~or from University Drive, a commercial corridor.~~ The western 33 acres would have access from Pine Island Road which, South of Griffin Road, is characterized by low-density single-family detached residences.

The SW 82 Avenue corridor is designated almost exclusively Residential (3 du/ac) on the west side and Residential (5 du/ac) on the east side near the amendment site. The amendment is located "mid-block" on SW 82 Avenue, splitting a large area that shares low density land use plan designations and creating undeveloped, isolated pockets of Residential (3 du/ac) and (5 du/ac) land use to the north and south. Staff expects these pockets to eventually petition for higher density should the amendment be approved, in order to avoid incompatibilities that may be created by the amendment's higher density. The smallest and most isolated of the unrelated land use pockets would be 3 acres of Residential (5 du/ac) land use occupied by two single-family homes sandwiched between the amendment site on the north side, Commercially designated land on its south and east sides, and SW 82 Avenue on its west side. Creating such an isolated and unrelated land use district is essentially a "spot zone" and should be avoided.

Housing Choice

The amendment furthers Housing Objective 2 which calls for facilitating and promoting a wide variety of residential development to address the different needs of the projected population, as it offers an opportunity for the Town to better balance its housing stock by increasing opportunities for single-family attached development ~~such as townhouses~~ in an appropriate location. The applicant has ~~not~~ committed to ~~a given housing type mix.~~ developing 100 townhomes and 280 garden apartments.

Impact Analysis: General

The amendment would result in a two-fold increase in density east of SW 82 Avenue and a three-fold increase in density between SW 82 Avenue and Pine Island Road. In determining the amendment's impacts on public facilities, staff must assume such a significant increase in density will trigger further petitions to increase density in the future, as the owners of adjacent nurseries and vacant land eventually seek to avoid incompatibility with the adjacent higher densities and commercial uses, and desire to maximize land values given the precedent set by higher adjacent densities. Since there are approximately 75 acres of undeveloped land designated Residential (3 du/ac) and (5 du/ac) that are eventually expected to petition for the same density being requested by the applicant, the cumulative impact of the amendment would be more than double its direct impact. ~~for the most critical impacts, staff provides both the impact caused directly by the amendment and the amendment's indirect impact that would result from the expected conversion of the approximately 75 acres of remaining land designated Residential (3 du/ac) and (5 du/ac) to densities of 10 du/ac.~~

The increases in density will increase impacts on all public facilities, as detailed in the Public Facilities Impact Summary attachment to this report. The most notable impacts are those on roadways and schools.

Impact Analysis: Roads

Southwest 82 Avenue is a substandard two lane roadway with less than 20 feet of pavement width where 24 feet are required. There is no shoulder on the roadway and there is a canal abutting the west side of the roadway, creating a dangerous situation that would be exacerbated by additional traffic using the roadway. Access to SW 82 Avenue will require roadway improvements suitable to the Town Engineer regardless of whether the amendment site is developed at currently permitted or requested densities. The applicant has committed to eliminating all but emergency access to SW 82 Avenue from the west 27 acres, leaving 19 acres that will access this roadway. The amendment would increase traffic by approximately ~~4,280~~ 1,020 trips per day, the equivalent of traffic generated by ~~129~~ 107 single family homes, of which approximately 63 percent would access Pine Island Road, and 37 percent would access SW 82 Avenue. ~~or a 7,500 s.f. retail store.~~ The cumulative traffic impact of the adjacent 75 acres also developing at the amendment site density is the addition of approximately 2,900 ~~the amendment may exceed 2,500~~ trips per day above that which would be generated by development under the current designations, with a similar distribution between Pine Island Road and SW 82 Avenue. ~~and would be distributed between Pine Island Road and SW 82 Avenue, barring access to University Drive. The percentage distribution onto each road is undetermined, as the applicant has not addressed access.~~ No traffic count is currently available for SW 82 Avenue which is intended to handle 2,000 to 5,000 trips per day according to the Town's roadway engineering and design standards.

Impact Analysis: Schools

The other notable public facility impact is on schools, and is determined by using Broward County School Board's student generation rates. The amendment would generate ~~up to 208~~ 2 additional students based upon the stipulated bedroom mix of 100, two-bedroom townhomes; 28, one-bedroom apartments; 238, two-bedroom apartments; and 14, three-bedroom apartments the applicant has committed to. ~~if developed exclusively with 3 bedroom garden apartments.~~ The cumulative impact of the amendment which includes future density increases on adjacent properties would approach 15

~~additional students, assuming development of only garden apartments at the same bedroom mix the applicant has committed to. additional students. The applicant can reduce this impact by developing townhomes which would generate an additional 61 students (a 70 percent reduction from garden apartments) with an indirect impact of 122 additional students, and by developing a managed bedroom mix of 1, 2 and 3 bedroom units that would further reduce student generation.~~ Schools serving the amendment site are currently overcapacity by an average of 240 students. Adequate capacity for other facilities exists to serve the amendment.

CONCLUSION AND RECOMMENDATION:

Staff finds the amendment generally consistent with the Comprehensive Plan. Staff believes this plan amendment can have a positive economic impact on the area's commercial centers and provide additional variety of housing types, particularly if townhomes are developed. The higher density sought by the amendment is appropriately located abutting commercial land use and near several commercial centers, near major roadways, and south of similar density development along Pine Island Road north of Orange Drive.

The applicant has addressed staff's concerns regarding student generation by voluntarily stipulating to a bedroom mix that would result in a minimal increase in the number of children potentially attending public schools. The applicant has also addressed staff's concerns relating to the substandard condition of SW 82 Avenue by restricting access to this road and acknowledging responsibility for improving a portion of the roadway to meet minimum engineering standards, as would be required for development under the existing land use plan designations.

Staff is still concerned that the amendment's shape and size create an isolated and unrelated district of Residential (5 du/ac) land use 3 acres in area, containing 2 single-family residences. Staff also believes that the western portion of the amendment site, which would access Pine Island Road--a low density residential corridor, need not be developed at a higher density (10 du/ac) than the eastern portion (7.7 du/ac), when it is the eastern portion that abuts land designated Commercial and accesses SW 82 Avenue, a roadway bordered by commercially designated and developed land. However, staff believes the SW 82 Avenue corridor may only develop at densities exceeding those now permitted, and that the economic benefits and increased housing choice the amendment would afford mitigate staff's concerns. However, staff cannot support the amendment as it has been submitted, because the amendment creates isolated and unrelated land use districts with attendant compatibility problems, a potentially unacceptable direct and indirect, long term impact on public schools, and does not include a proposal for improving SW 82 Avenue or providing alternative access to University Drive and Pine Island Roads.

Development Services staff therefore ~~recommends DENIAL~~ has **NO OBJECTION** of to the proposed plan amendment.

LOCAL PLANNING AGENCY RECOMMENDATION: Motion to recommend **APPROVAL** based specifically on the amended application made by the applicant's letter dated February 10, 1999, submitted to the record, and further amendment that the applicant committed to at the LPA meeting which further reduces the number of three bedroom garden apartments from 28 to 14 which increases the number of two-bedroom garden apartments from 224 to 238, and based on these voluntary

stipulations which amends the original application (3-1, Mr. Stahl absent, February 10, 1999).

APPLICANT AMENDED APPLICATION AT LOCAL PLANNING AGENCY MEETING: The applicant made the following amendments to the application:

- a) Prohibit access to SW 82 Avenue from 23.25 of the west 33 acres.
- b) Restrict residential development to 100, two-bedroom townhome units on the east 13 acres and 280 garden apartments (28 one-bedroom, 238 two-bedroom and 14 three-bedroom) on the west 29.25 acres.

Additionally, the applicant acknowledged his responsibility to improve a portion of SW 82 Avenue, subject to available right-of-way, to provide for safe travel, and offered to provide access, subject to acquisition of additional land, between Pine Island Road and SW 82 Avenue.

STAFF REPORT AND RECOMMENDATION REVISED AFTER THE LOCAL PLANNING AGENCY MEETING: In consideration of the amendments made to the application at the Local Planning Agency Meeting, staff has **NO OBJECTION** to the amendment.

Land Use Plan Amendment Application LABC-99-3A

PUBLIC FACILITIES IMPACT SUMMARY

The proposed amendment would have the following impacts upon the listed public facilities and services. Numbers may differ from applicant's analysis due to differences in calculations methods and inaccuracies in application analysis.

<u>Wastewater Treatment:</u>	Increase wastewater generation by 96,400 gpd. (Capacity available.)
<u>Potable Water:</u>	Increase potable water required by 96,400 gpd. (Capacity available.)
<u>Drainage:</u>	Increase drainage demand. (Capacity available.)
<u>Solid Waste:</u>	Increase solid waste generation by 2,668 gpd. (Capacity available.)
<u>Recreation and OS:</u>	Increase the demand for recreation and open space by 7.04 acres. (Capacity available.)
<u>Traffic Circulation:</u>	Increase traffic generation on Pine Island Road by appx. 900 trips per day* (Capacity available) and on SW 82 Avenue by appx. 120 trips per day. (Capacity unavailable*.)
<u>Public Schools:</u>	Increase school enrollment by <u>as few as up to 208</u> 2 students with 3 bedroom garden apartments or 61 students with 3 bedroom townhouses. (Capacity unavailable.)

* Capacity unavailable because roadway does not meet minimum design criteria. The roadway is expected to have sufficient capacity to accommodate traffic from the amendment site once it is brought up to engineering standards.

**TOWN OF DAVIE
LAND USE PLAN AMENDMENT APPLICATION**



TOWN OF DAVIE USE ONLY

Petition No. LABC 99-34

Case No. _____

Approved as to Form SNC

Date Filed: 8/10/97

Fee Paid*: \$ 3972

Receipt No. 7143
(*SEE FEE SCHEDULE)

(Information must be typed and notarized)
Make Checks payable to Town of Davie

____ TOWN OF DAVIE LAND USE PLAN AMENDMENT

X BROWARD COUNTY & TOWN LAND USE PLAN AMENDMENT

PUBLIC HEARINGS

(To be filled in by Town of Davie)

LOCAL PLANNING AGENCY 12/9/98 PUBLICATION _____
LOCAL PLANNING AGENCY'S
RECOMMENDATION 12/09/98 - tabled to 01/13/99 AND 01/13/99 - tabled to 02/10/99 AND
02/10/99 - See bottom of page 2 gk

TOWN COUNCIL 1/6/99 → 1/20/99 → 2/3/99 → 2/17/99 → 3/3/99 ACTION _____ PUBLICATION _____

TOWN COUNCIL _____ ACTION _____ PUBLICATION _____

BROWARD COUNTY PLANNING COUNCIL _____ ACTION _____

BROWARD COUNTY PLANNING COUNCIL _____ ACTION _____

BROWARD COUNTY COMMISSION _____ ACTION _____

BROWARD COUNTY COMMISSION _____ ACTION _____

Notices Sent: 69 Replies: _____ For / _____ Against

Undeliverable: 3

APPLICATION

I. LAND USE PLAN DESIGNATIONS:

	<u>Existing</u>	<u>Requested</u>
Town of Davie Plan	<u>RM-5/RM-3</u>	<u>RM-10</u>
Broward County Plan	<u>RM-5/RM-3</u>	<u>RM-10</u>

II. APPLICANT: Name MITCHELL CAESAR, P.A.
Address 8181 WEST BROWARD BLVD., SUITE 300
PLANTATION, FL 33324
Telephone (954) 475-2500
Relationship to Property OWNER REPRESENTATIVE

PROPERTY Name SEE LIST IN APPENDIX
OWNER(S): Address _____

Telephone _____

Does the applicant and/or representative own any of the property that is the subject of this application? YES NO

If yes, describe interest: _____

a) Gross Acreage 54.0 AC Net Acreage _____

b) Delineate on survey and attach to application

BROWARD COUNTY TAX FOLIO NUMBER(S): _____

III. LEGAL DESCRIPTION: (Sealed survey indicating gross and net acreage must be submitted with application)

PLEASE SEE ATTACHED SITE MAP AND
APPENDIX 2 OF EXHIBIT "B"

2/10/99 - Local Planning Agency recommendation: approval subject to the amended application as indicated in the applicant's letter of February 10, 1999 and subject to the amendment to reduce the number of three-bedroom garden apartments from 28 to 14, and increase the number of two-bedroom garden apartments from 224 to 238.

APPLICATION

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	<u>Existing</u>	<u>Requested</u>
Town of Davie Plan	<u>RM-5/RM-3</u>	<u>RM-10</u>
Broward County Plan	<u>RM-5/RM-3</u>	<u>RM-10</u>

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Address 8181 WEST BROWARD BLVD., SUITE 300
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OWNER(S): Address _____

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III. LEGAL DESCRIPTION con't:

PROPERTY LOCATION: Generally located on

NORTH side of STIRLING RD

EAST side of SW 82nd AVE.

SOUTH side of GRIFFIN RD

WEST side of UNIVERSITY DRIVE

ADDRESS OF AMENDMENT SITE: SW 82nd AVE.

IV. APPLICANT'S REASON(S) FOR AMENDMENT REQUEST:
(Use additional sheets as necessary)

PLEASE SEE ATTACHED APPENDIX "B"

V. IMPACT STATEMENT: Applications for proposed Land Use Plan Amendments must include twenty (20) copies of a comparative land use impact statement. The impact statement shall address the following items in the format of the attached checklist, (see back of application package)

- (1) Potable Water
- (2) Wastewater treatment and disposal
- (3) Solid Waste disposal
- (4) Drainage
- (5) Regional transportation network
- (6) Local streets and roads (safety and adequacy of access between site and regional)
- (7) Fire Protection
- (8) Police Protection
- (9) School sites and pupil generation
- (10) Parks and Recreation

PETITION #: _____

FLR CORP LLC
OWNER'S NAMEMARK LANDAU
APPLICANT'S NAME
OWNER'S SIGNATURE
APPLICANT'S SIGNATURE5191 NW 25TH WAY
ADDRESS5191 NW 25TH WAY
ADDRESSBOCA RATON FL 33496
CITY, STATE, ZIPBOCA RATON FL 33496
CITY, STATE, ZIP

OWNER'S NAME

OWNER'S NAME (Optional)


OWNER'S SIGNATURE
OWNER'S SIGNATURE

ADDRESS

ADDRESS

CITY, STATE, ZIP

CITY, STATE, ZIP

PHONE

PHONE

The foregoing instrument was acknowledged before me

The foregoing instrument was acknowledged before me

this 5 day of Aug, 1998, by
MARK LANDAU who is personally
known to me or who has produced FL.D. Licthis 5 day of Aug, 1998, by
MARK LANDAU who is personally
known to me or who has produced FL.D. LicL-530-540-45-268-0L-530-540-45-268-0

as identification and who did take an oath.

as identification and who did take an oath.

NOTARY PUBLIC

NOTARY PUBLIC

Sign: F M GRANVILLE-SMITHSign: F M GRANVILLE-SMITHPrint: F M GRANVILLE-SMITHPrint: F M GRANVILLE-SMITH

My Commission expires:

My Commission expires:

OFFICIAL NOTARY SEAL
F M GRANVILLE-SMITH
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC517194
MY COMMISSION EXP. DEC. 11, 1999

08/02/1998 05:30 5619990024

RONALD I LANDAU MD

PAGE 04

FROM : PD&E

PHONE NO. : 561 683 1445

Aug. 02 1998 02:51PM P4

PETITION #:

Riley T. EVANS
OWNER'S NAME

[Signature]
OWNER'S SIGNATURE

5077 S.W. 8th Ave
ADDRESS

DADE, FL 33328
CITY, STATE, ZIP

OWNER'S NAME

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

954 (434-6962)
PHONE

The foregoing instrument was acknowledged before me

on 6 day of Aug, 1997, by
Riley T. Evans who is personally

known to me or who has produced DL#
E152-735-26-730-0

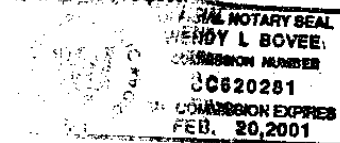
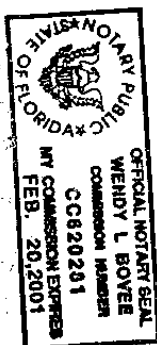
as identification and who did take an oath.

NOTARY PUBLIC

Sgt. Wendy L. Bovee

Print Wendy L. Bovee

My Commission expires:



APPLICANT'S NAME

APPLICANT'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

OWNER'S NAME (Optional)

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

PHONE

The foregoing instrument was acknowledged before me

on _____ day of _____, 1997, by
_____ who is personally

known to me or who has produced _____

as identification and who did take an oath.

NOTARY PUBLIC

Sgt. _____

Print _____

My Commission expires:

08/02/1998 05:30 5619990024

RONALD I LANDAU MD

PAGE 04

FROM : PD&E

PHONE NO. : 561 883 1445

Aug. 02 1998 02:51PM P4

PETITION #:

GEORGE JANICA
OWNER'S NAME

[Signature]
OWNER'S SIGNATURE

5151 SW 82 AVE
ADDRESS

DAVIE FL 33328
CITY, STATE, ZIP

OWNER'S NAME

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

954-434-1131
PHONE

The foregoing instrument was acknowledged before me

this 6 day of August, 1998, by

George Janica who is personally

known to me or who has produced

Florida Drivers License

as identification and who did take an oath.

NOTARY PUBLIC

Sign: Stephanie D Soverns

Print: Stephanie D Soverns

My Commission expires:



APPLICANT'S NAME

APPLICANT'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

OWNER'S NAME (Optional)

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

PHONE

The foregoing instrument was acknowledged before me

this _____ day of _____, 1997, by

_____ who is personally

known to me or who has produced _____

as identification and who did take an oath.

NOTARY PUBLIC

Sign: _____

Print: _____

My Commission expires:

6

08/02/1998 05:30 5619990024

RONALD I LANDAU MD

PAGE 04

FROM : PD&E

PHONE NO. : 561 683 1445

Aug. 02 1998 02:51PM P4

PETITION #:

ANTHONY GALLETTA
OWNER'S NAME

Anthony Galletta
OWNER'S SIGNATURE

5151 S.W. 82nd Ave
ADDRESS

Dania Fl 33328
CITY, STATE, ZIP

OWNER'S NAME

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

(954) 434-1131
PHONE

The foregoing instrument was acknowledged before me

the 5 day of August, 1998, by
Anthony Galletta who is personally

known to me or who has produced
Florida Drivers License

as identification and who did take an oath.

NOTARY PUBLIC

Sign: Stephanie D. Soverns

Print: Stephanie D. Soverns

My Commission expires:



APPLICANT'S NAME

APPLICANT'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

OWNER'S NAME (Optional)

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

PHONE

The foregoing instrument was acknowledged before me

the _____ day of _____, 1997, by
_____ who is personally

known to me or who has produced

as identification and who did take an oath.

NOTARY PUBLIC

Sign: _____

Print: _____

My Commission expires:

08/02/1998 05:30 5619990024

RONALD I LANDAU MD

PAGE 04

FROM : PAGE :

PHONE NO. : 561 603 1445

Aug. 02 1998 02:51PM P4

PETITION #1: _____

ALPHA BAPTIST CHURCH INC.
OWNER'S NAME

APPLICANT'S NAME

Ralph E. Button
CORP. OWNER'S SIGNATURE DIRECTOR

APPLICANT'S SIGNATURE

5235 S.W. 82ND AVE
ADDRESS

ADDRESS

DAVIE, FL. 33328
CITY, STATE, ZIP

CITY, STATE, ZIP

ALPHA BAPTIST CHURCH, INC.
OWNER'S NAME

OWNER'S NAME (Optional)

I AM HEREBY AUTHORIZED TO REPRESENT
ALPHA BAPTIST CHURCH ACCORDINGLY.

OWNER'S SIGNATURE

OWNER'S SIGNATURE

ADDRESS

ADDRESS

CITY, STATE, ZIP

CITY, STATE, ZIP

PHONE

PHONE

The foregoing instrument was acknowledged before me

The foregoing instrument was acknowledged before me

this 28 day of OCTOBER, 1998, by

this _____ day of _____, 1997, by

Ralph E. Button who is personally

_____ who is personally

known to me or who has produced _____

known to me or who has produced _____

as identification and who did take an oath.

as identification and who did take an oath.

NOTARY PUBLIC

NOTARY PUBLIC

Sigs: Beryl H. Gorr

Sigs: _____

Print: BERYL H. GORR

Print: _____

My Commission expires:

My Commission expires:



PETITION #: _____

JOHN LOECHER JR
OWNER'S NAME

John Loecher Jr
OWNER'S SIGNATURE

2402 N. BERRY'S CHAPEL RD.
ADDRESS

FRANKLIN, TN. 37069
CITY, STATE, ZIP

VIRGINIA ANN LOECHER
OWNER'S NAME

Virginia Ann Loecher
OWNER'S SIGNATURE

2402 N. BERRY'S CHAPEL RD
ADDRESS

FRANKLIN, TN. 37069
CITY, STATE, ZIP

(615) 595-7061
PHONE

The foregoing instrument was acknowledged before me
this 29th day of October, 1998 by
John Loecher who is personally
known to me or who has produced Tn DL
89685681

as identification and who did take an oath.

NOTARY PUBLIC

Sign: Jay Hagan

Print: Jay Hagan

My Commission expires: 1-27-2001

APPLICANT'S NAME

APPLICANT'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

OWNER'S NAME (Optional)

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

PHONE

The foregoing instrument was acknowledged before me
this 29th day of October, 1998, by
Virginia Ann Loecher who is personally
known to me or who has produced Tn DL
89673526

as identification and who did take an oath.

NOTARY PUBLIC

Sign: Jay Hagan

Print: Jay Hagan

My Commission expires: 1-27-2001

08/02/1998 05:30 5619990024

RONALD I LANDAU MD

PAGE 04

FROM : PD&E

PHONE NO. : 561 883 1445

Aug. 02 1998 02:51PM P4

PETITION #:

GERALD F. NAVIN
OWNER'S NAME

Gerald F. Navin
OWNER'S SIGNATURE

5251 SW 82 AVE
ADDRESS

DAVIE FL 33328
CITY, STATE, ZIP

Gerald F. Navin
OWNER'S NAME

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

954 434 3555
PHONE

The foregoing instrument was acknowledged before me
this 22 day of Oct, 1998, by

GERALD NAVIN who is personally
known to me or who has produced

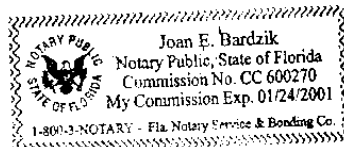
as identification and who did take an oath.

NOTARY PUBLIC

Sgt.

Print

My Commission expires:



APPLICANT'S NAME

APPLICANT'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

OWNER'S NAME (Optional)

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

PHONE

The foregoing instrument was acknowledged before me
this _____ day of _____, 1997, by

_____ who is personally
known to me or who has produced

as identification and who did take an oath.

NOTARY PUBLIC

Sgt.

Print

My Commission expires:

08/02/1998 05:30 5619990024

RONALD I LANDAU MD

PAGE 04

FROM : PD&E

PHONE NO. : 561 883 1445

Aug. 02 1998 02:51PM P4

PETITION #:

Ralph L. Gross
OWNER'S NAME

Ralph L. Gross
OWNER'S SIGNATURE

5253 SW 82nd Ave.
ADDRESS

Davie, Florida 33328
CITY, STATE, ZIP

Deborah J. Gross
OWNER'S NAME

Deborah J. Gross
OWNER'S SIGNATURE

5253 SW 82nd Ave.
ADDRESS

Davie, Florida 33328
CITY, STATE, ZIP

(954) 680-1764
PHONE

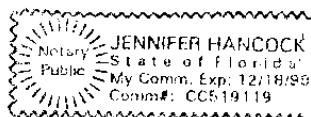
The foregoing instrument was acknowledged before me
this 7 day of August, 1998, by
Ralph + Deborah Gross who is personally
known to me or who has produced personally
known

as identification and who did take an oath.

NOTARY PUBLIC

Sign: Jennifer Hancock
Print: Jennifer Hancock

My Commission expires: 12/18/99



APPLICANT'S NAME

APPLICANT'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

OWNER'S NAME (Optional)

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

PHONE

The foregoing instrument was acknowledged before me
this _____ day of _____, 1997, by
_____ who is personally
known to me or who has produced _____

as identification and who did take an oath.

NOTARY PUBLIC

Sign: _____
Print: _____

My Commission expires:

08/02/1998 05:30 5619990024

RONALD I LANDAU MD

PAGE 04

FROM : PD&E

PHONE NO. : 561 683 1445

Aug. 02 1998 02:51PM P4

PETITION #:

OWNER'S NAME

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

OWNER'S NAME

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

PHONE

The foregoing instrument was acknowledged before me

on 7th day of AUGUST, 1998, by

RANDY G. NAUGLE who is personally

known to me or who has produced

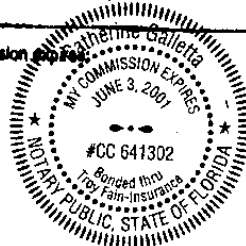
as identification and who did take an oath.

NOTARY PUBLIC

Sign:

Print:

My Commission expires:



APPLICANT'S NAME

APPLICANT'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

OWNER'S NAME (Optional)

OWNER'S SIGNATURE

ADDRESS

CITY, STATE, ZIP

PHONE

The foregoing instrument was acknowledged before me

on _____ day of _____, 1997, by

_____ who is personally

known to me or who has produced

as identification and who did take an oath.

NOTARY PUBLIC

Sign:

Print:

My Commission expires:

Kalis & Kleiman, P.A.

7320 Griffin Road, Suite 109
Davie, Florida 33314

Neal R. Kalis
M. Scott Kleiman

Telephone (954) 791-0477
Fax (954) 791-0506

February 10, 1999

Jeff Katims, AICP
Planner II
Development Services Department
Planning & Zoning Division
Town of Davie
6591 Orange Drive
Davie, FL 33314

**VIA FAX (797-1086)
AND HAND DELIVERY**

RE: Land Use Plan Amendment Application ("LUPA")
LABC-99-3A/Bayshore Land Development Group, Inc.

Dear Mr. Katims:

The applicant, Bayshore Land Development Group, Inc., offers the following commitments in mitigation of the road and school impacts described in the Planning & Zoning Division Planning Report dated February 3, 1999. In making this proposal, the applicant has adopted the analysis methodology utilized in the Planning Report by separating that portion of the property lying east of 82nd Avenue ("East 13 Acres") from that portion of the property lying west of 82nd Avenue ("West 33 Acres").

I. East 13 Acres

A. Road Impact. If the proposed LUPA is approved for the East 13 Acres the developer of this parcel will commit, subject to availability of right-of-way, to widen to 24 feet, resurface and install a guardrail on 82nd Avenue from the southern property limit abutting 82nd Avenue north to the southerly terminus of the Florida Department of Transportation project limits for the widening of Griffin Road. Further, the applicant will provide, subject to its ability to obtain additional lands, an adequate road right-of-way along the northerly property line of the West 33 Acres which will provide access from 82nd Avenue to Pine Island Road. The proposed road right-of-way would not be directly accessible by development on the West 33 Acres. The West 33 Acres, as currently configured, has an irregular northern boundary and therefore the ability to provide the proposed road right-of-way is dependent on the acquisition of additional lands.

B. School Impact. If the proposed LUPA is approved for the East 13 Acres, the developer of this parcel will commit to limit development to two (2) bedroom townhouses with a maximum total density of one hundred (100) units. Based on the attached School Generation Table analysis, prepared by Leigh Robinson Kerr & Associates, Inc., the proposed development will generate only twelve (12) students which is 16.5 less than if developed under the current Land Use Designation of Low (5).

Jeff Katims, AICP
Town of Davie
February 10, 1999
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II. West 33 Acres.

A. Road Impact. If the proposed LUPA is approved for the West 33 Acres the developer will commit to restrict all ingress and egress to the approximate twenty-three (23) acres which is planned to be developed under unified ownership, to Pine Island Road. Of the remaining acreage, approximately 3.75 acres will be designated as a community facility with access only to Pine Island Road and the approximate 6 acres in the southeast corner of the West 33 Acres would access 82nd Avenue. The only exception to the foregoing would be for providing access to emergency vehicles only as may be required during the platting and site plan process.

B. School Impact. As a condition of approval of the LUPA for the West 33 Acres the developer of this parcel will commit to a total density of 280 garden apartments to be distributed among twenty-eight (28) one (1) bedrooms, two hundred twenty-four (224) two (2) bedrooms and twenty-eight (28) three bedrooms, generating a total of 61.08 new students which is a modest 24.18 student increase over the projection of 36.9 students under the current Land Use Designation of Low (3) according to the Leigh Robinson Kerr & Associates, Inc. School Generation Table attached.

III. General Comment.

A. Road Impact. The impact of the proposed development will be minimal due to the proposed improvements to 82nd Avenue, and the restriction on access only to Pine Island Road as to twenty-three (23) acres of the West 33 Acres. If the additional lands can be obtained along the north boundary of the West 33 Acres then the impacts will be further mitigated.

B. School Impact. The proposed developments of both the East 13 Acres and West 33 Acres will result in a minimal impact of only a total of eight (8) additional students as compared to what the current Land Use Designation of Low (5) and Low (3) would allow (65.4 is allowed as compared to 73 proposed).

The David Posnack Center currently operates a private school through Grade 2 at Stirling and Pine Island Roads. We are currently verifying a reliable source which has advised that the Center has plans to construct additional facilities within the year which will allow expansion of the existing program through middle school. Also, the approval of the LUPA with respect to the West 33 Acres will allow the relocation of the approximately 3.75 acres Community Facility Church site to a prominent location along Pine Island Road and further its goal of building a school. The foregoing factors should further mitigate the minimal impact on the overcapacity of the schools generated by the proposed development.

Further, it should be noted that the overcapacity trend within the service area has improved significantly over the last three (3) school years with a modest decline in overcrowding in the elementary school category, a modest increase in the middle school category, and a significant

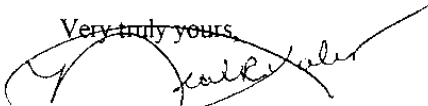
Jeff Katims, AICP
Town of Davie
February 10, 1999
Page Three

decrease in the high school category. See School Enrollment Net Change Table prepared by Leigh Robinson Kerr & Associates, Inc. attached hereto.

C. Overall Density. Although the proposed LUPA would permit ten (10) units per acre times forty-six (46) acres for a total of four hundred sixty (460) units, the applicant is willing to commit to a total of three hundred eighty (380) units which equals a density of 8.26 per acre.

Thank you for your assistance and consideration of the applicants additional commitments as part of the Planning Report and recommendations. If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,



Neal R. Kalis

NRK/bac
bayshore.2-10tod
Attachments

cc: Mr. Robert Rawls (Via Fax and U.S. Mail)
Mr. John Heggy, Bayshore Land Group, Inc. (Via Fax)
Mr. Leigh Kerr, Leigh Robinson Kerr & Associates, Inc. (Via Fax)



SCHOOL ENROLLMENT

NET CHANGE 1995/96 - 1998/99

OVER CAPACITY TRENDS

SCHOOL	1995/96 Over Capacity	1998/99 Over Capacity	NET CHANGE
COOPER CITY ELEMENTARY	280	238	(42)
PIONEER MIDDLE	184	216	32
COOPER CITY HIGH	1,047	263	(784)

Sources: Composite Data Sheets, 1995 and 1998, The School Board of Broward County, Florida
Leigh Robinson Kerr & Associates, Inc.

**BAYSHORE
SCHOOL GENERATION**

Current Land Use:

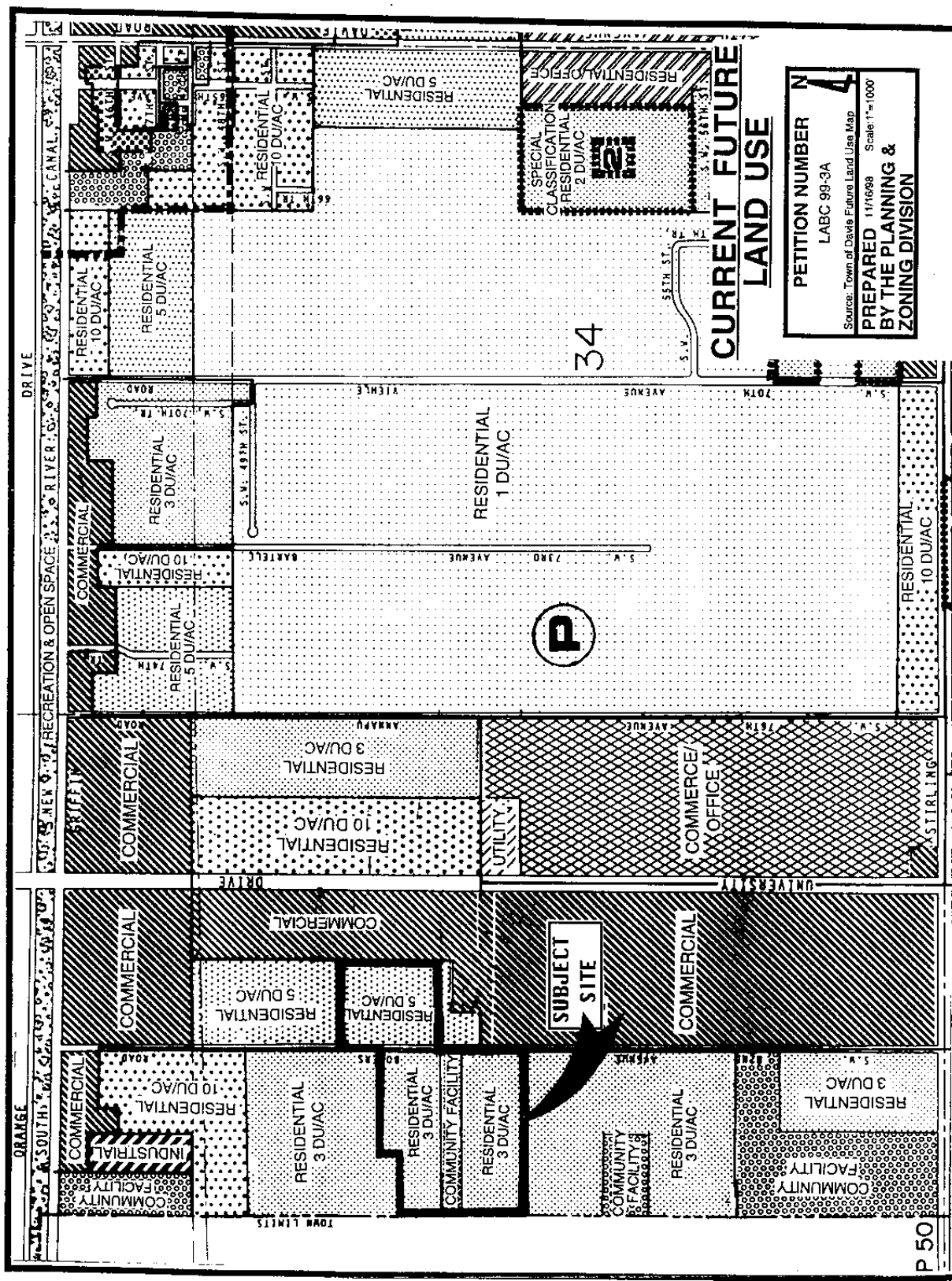
Land Use X Acres X Bedrooms X School Generation Rate = Students

Land Use	Acres	Bedrooms	Generation Rate	Students
Low (5)	x 13	x 3	x .439	= 28.5
Low (3)	x 28	x 3	x .439	= 36.9
TOTAL				= 65.4

Proposed Land Use:

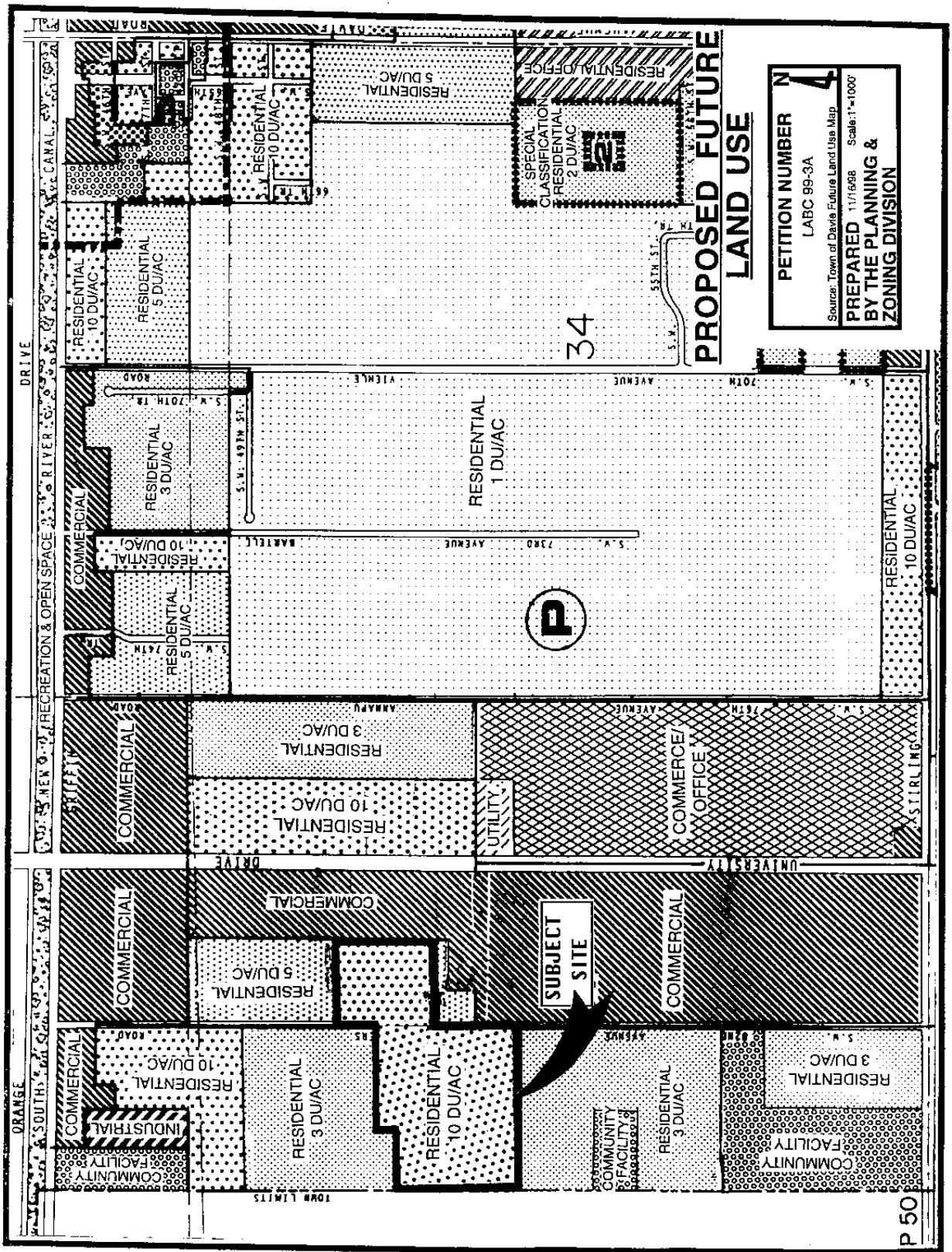
	Land Use	Dwelling Units	Bedrooms	Generation Rate	Students
East Parcel:	Townhouse	100	2	.117	= 11.7
				East site:	= 12
West Parcel:	Garden Apts	28	1	.035	= 1
	Garden Apts	224 ^{23%}	2	.194	= 43.45
	Garden Apts	28 ¹⁴	3	.594	= 16.63
West site:					= 61.08
TOTAL:					= 73
DIFFERENCE					+ 8

28 (14) (0.7)



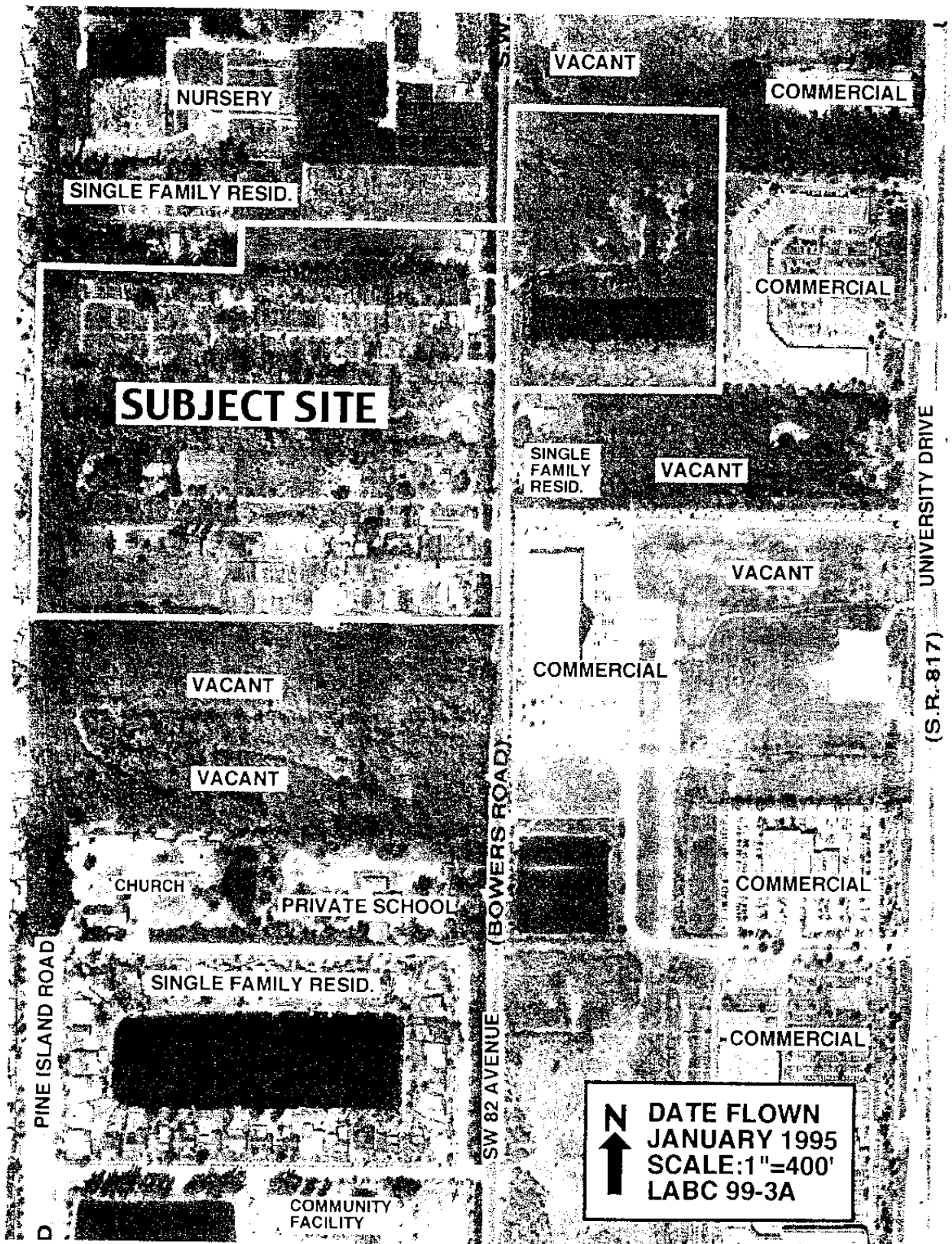
**CURRENT FUTURE
LAND USE**

PETITION NUMBER N 4
LABC 99-3A
Source: Town of Davis Future Land Use Map
PREPARED 11/16/98 Scale: 1"=1000'
BY THE PLANNING &
ZONING DIVISION



**PROPOSED FUTURE
LAND USE**

PETITION NUMBER **N 4**
LABC 95-3A
Source: Town of Davis Future Land Use Map
PREPARED 1/1/698 Scale: 1"=1000'
BY THE PLANNING &
ZONING DIVISION



NURSERY

SINGLE FAMILY RESID.

VACANT

COMMERCIAL

SUBJECT SITE

SINGLE FAMILY RESID.

VACANT

COMMERCIAL

VACANT

VACANT

VACANT

COMMERCIAL

CHURCH

PRIVATE SCHOOL

COMMERCIAL

SINGLE FAMILY RESID.

COMMERCIAL

COMMUNITY FACILITY

N
↑
DATE FLOWN
JANUARY 1995
SCALE: 1"=400'
LABC 99-3A

UNIVERSITY DRIVE
(S.R. 817)

SW 82 AVENUE

PINE ISLAND ROAD